

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|                                 |   |                     |
|---------------------------------|---|---------------------|
| -----X                          | : |                     |
| JUDY KIRTON, et al.,            | : |                     |
|                                 | : |                     |
| Plaintiffs,                     | : |                     |
|                                 | : | 22-CV-8552 (VSB)    |
| -against-                       | : |                     |
|                                 | : | <b><u>ORDER</u></b> |
| CONCEPTS OF INDEPENDENCE, INC., | : |                     |
|                                 | : |                     |
| Defendant.                      | : |                     |
| -----X                          | : |                     |

VERNON S. BRODERICK, United States District Judge:

Plaintiffs filed this action on October 7, 2022, (Doc. 1), and filed an affidavit of service on November 7, 2022, (Doc. 7). The deadline for Defendant to respond to Plaintiffs' complaint was November 22, 2022. (*See* Doc. 7.) As of November 23, 2022, Plaintiff has not appeared or responded to the complaint and I entered an Order informing Plaintiff that they if they did not "demonstrate that they intend to prosecute this litigation, I may dismiss this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b)." (Doc. 8.) That day, Plaintiff requested an extension of time to serve her motion for default judgment, (Doc. 11), which I granted, (Doc. 14). Counsel for Defendant entered their appearance on November 28, 2022, (Doc. 12), and subsequently filed a motion for extension of time to file an answer, (Doc. 13). I granted this request, (Doc. 14) and referred the case to mediation, (Doc. 15). On December 27, 2022, Defendant requested another extension so that they may file their answer after their scheduled mediation scheduled for February 23, 2022. (Doc. 17.) I granted this request and gave Defendant until March 9, 2023, to file their answer. (Doc. 18). To date, Defendant has still not filed an answer. Defendant is hereby ordered to write a letter to the Court explaining why they have not filed their answer and how much additional time they require to do so.

SO ORDERED.

Dated: March 13, 2023  
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick", written over a horizontal line.

VERNON S. BRODERICK  
United States District Judge